

REMARKS

In the above-mentioned Office Action, all of the pending claims, claims 1, 3, 5-7, 10-14, 20, and 21, were rejected. The claims were rejected under Section 102(e) over *Wessel*. Additionally, claim 20 was rejected for being dependent upon rejected claim 19.

The undersigned acknowledges the Examiner's additional search in the instant application and the citation of *Wessel* for its disclosure of "gain and phase error detectors 60 in adaptive pre-distorter 70".

Responsive to the rejection of the claims, independent claims 1, 13, and 21 have been amended in manners believed to distinguish better the invention of the present application over *Wessel*. Support for the amendments to the claims is found, for instance, on page 10, lines 25-28 and page 11, lines 5-6.

With respect to exemplary claim 1, the recitation of the distortion estimator has been amended, now to recite that the indicia of distortion estimated by the estimator is at least related to a normalized, standard deviation of differences between values of the symbols of the send signal prior to, and subsequent to amplification by the amplifier. Claims 13 and 21 have been analogously amended.

Review of *Wessel* fails to disclose calculation, formation, or other use of the distortion indicia as now recited. To the contrary, column 11 identifies, on lines 13 and 30, the phase error signal and phase correction coefficient, respectively. Neither of which disclose a normalized standard deviation of differences between signal or symbol values prior to and subsequent to amplification, all as now recited.

Accordingly, claims 1, 13, and 21 are believed to be distinguishable over *Wessel* for this reason. The remaining ones of the dependent claims, which include all of the limitations of their respective parent claims, are believed to be distinguishable over *Wessel* for this same reason.

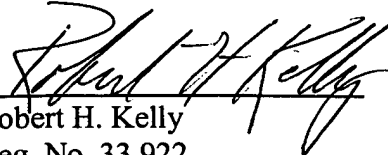
Additional amendment to claim 20 changes the dependency of the claim, and the rejection of the claim on this basis is believed to be overcome.

In light of the foregoing, claims 1, 13, and 21, and the dependent claims dependent thereon are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of the claims are respectfully requested.

Appl. No. 09/496,120
Amdt. dated 10 Mar. 2004
Reply to Office Action of 11 Dec. 2003

Respectfully submitted,

Dated: 10 Mar 04


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